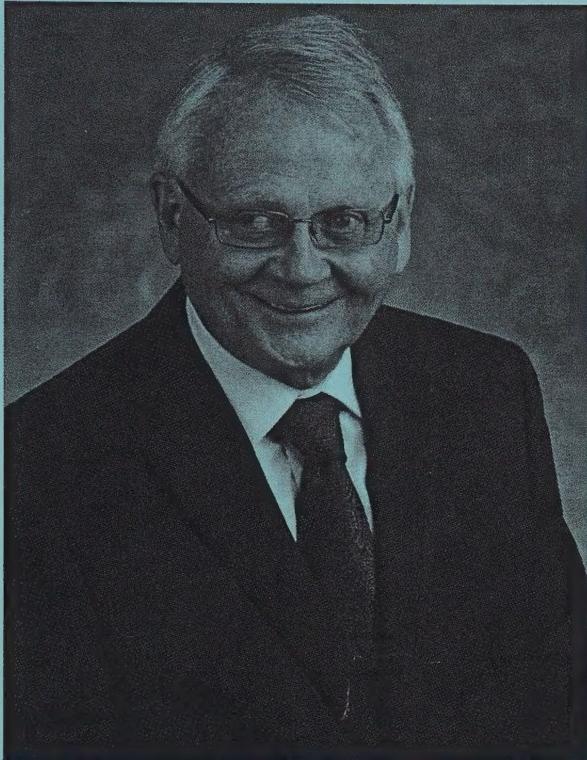


Canons of Construction

Volume 45 No. 4

December 2013

PROFESSOR HOPP EXITS THE CLASSROOM



Jordan Lefavre (3L)

Professor Ronald Hopp Q.C. will be teaching his last class at the Faculty of Law this year. His departure from the classroom means we will need a new *Wills* Professor. He leaves big shoes to fill. Despite Hopp being by far the best *Wills* professor I could ever have, it is his contributions outside of the classroom that render him especially irreplaceable. Hopp's dedication to public service and his enthusiasm to interact with the student body has left a lasting impression on countless students.

In his tenure as professor, Hopp has taught 18 different classes including *Contracts*, *Torts*, *Criminal Law*, and *Wills*. I asked Hopp how he has been able to grapple with so many subject areas. He assured me that the easiest way to learn any area of law is to start teaching it.

Hopp is proud to have taught many current leaders in Alberta's Legal Community. There are several current and past Provincial Judges and Queen's Bench Justices in these ranks. Despite having a hand in their legal training, his modesty prevents him from taking any credit. When I asked him whether he feels partly responsible for their

achievements, he responded, "we are responsible for ourselves and that's a big enough task in itself."

While carrying out his teaching duties, Hopp has made a name for himself serving the low-income community. His role as an advising lawyer at SLS has spanned over five different decades. Hopp mentioned that he enjoys watching students "struggle earnestly to help people."

Even though service of the low-income community has become second nature for Hopp, he insists his wife actually introduced him to service: as a past faculty administrator she assisted with securing space and supplies for SLS operations.

Hopp first started advising students at SLS in 1976. Since then, he has become an institution at SLS. There is an old book at Emily Murphy House that was commissioned to commemorate the 15th anniversary of SLS. Musings of Hopp are interspersed throughout. He discusses past SLS volunteers' relentless activism and the gratitude of SLS principals. Hopp describes SLS volunteers in the 1970's driving around a Bus painted in psychedelic colours, engaging in social activism. These students were part of the Agitation and Propaganda project of SLS. The Ag-Prop project has long since been renamed the Legal Education and Reform project. Even though the name has changed and SLS has conservatively toned down its tie-died roots, Hopp's commitment has remained steadfast. Hopp's contribution has been steady; dutifully advising one file at a time.

Hopp has never hesitated to share the wealth of knowledge and experience he has accumulated over 41 years of practice. He is always willing to assist students. Students are privileged to access his office and advice so readily. Before entering, a student can be sure that Hopp will have some first-hand experience to share. After all, he has maintained a practice throughout his teaching career. He has practiced in small claims, real estate, wills, civil litigation and family law, among others. He also acted as a Crown Prosecutor. The breadth and depth of legal experience upon which Hopp can draw is impressive.

Hopp's student involvement is not limited to his teaching and advising lawyer position at SLS. It extends into his eagerness to socialize with the student body. Not so long ago, Hopp was a mainstay as a dancer on the Law Show Stage. He was a devoted dancer for 10 years. He has been described as "possessing the unique talent to only be a little off step all of the time." Ask Hopp what his favorite Law Show was. He will answer, "the last one; every year it's the best." I have encountered Hopp at Barbecues, Wine Socials and (*shudder*) Rugby Fashion shows. In fact, there is not a single faculty member I have seen interact more

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The Editor-in-Chiefs' Desk

WELCOME TO EXAM SEASON!

I'm sure you're already experiencing the panic found around the law building at this time of year. Familiar refrains include: "I haven't started studying yet"; "I have to finish this paper by 4pm today"; "I hear that Professor O'Byrne is the toughest marker ever". – well actually that last one isn't true, Professor O'Byrne might be the kindest soul in the faculty. But you get the drift.

You know you can't study all the time and that's what we're here for – a welcome distraction on your coffee break or a bit of gossip for when you stop to chat in the hall. We would like to take some credit for your improved mental health this exam season but it likely goes to the Chimo puppies that visited the couches last week. Foiled again! This issue has some exam advice from people who have done it before, photos of some truly ugly sweaters worn by some lovely people, and even the trial of Santa Claus (who appears to need good counsel if anyone has some free time).

Good luck to everyone on exams and enjoy your holidays! Take us back to your parents by going to canonsonline.com

- Natasha, Nora, & Mario

Got something to say? Email canons@ualberta.ca



From Canons' Twitter Feed

@slaskoski: My new favourite law school humble brag: "I had to cut, like, 5000 words from my major paper!"

@AllFinsAttached: How about that #twtmoot. Hey #UofALaw, anyone interested in forming a team? #titledefense

@ericadams99: Busy? Alberta v UFCW, 2013 SCC 62 as a haiku: Picket line snapshots/ Smile, the Charter protects them/ Oakes step four wins it. #SCC

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with the student body. Hopp says that he would attend every social function if they were held in the building. He mentioned that it is important for faculty members to attend student functions. Hopp insists that collegiality between students and faculty is more easily fostered through events like baseball tournaments and social events than lecturing.

If you have not had the opportunity to visit Hopp yet, it's okay. He will be keeping his office on the fourth floor. If

you have the chance, pop in for a conversation. I guarantee Hopp will not fail to provide a pearl of wisdom. Regardless of what he says, it will undoubtedly begin with a long sigh and pensive stare. He usually follows this up with a one-liner that is simultaneously humorous and insightful. When posed with a particularly frustrating file, Hopp once stated that he "should have been a gardener." Of course after some consideration of things like "drought and blight" he is confident that he made the right decision when he

entered into law. Of course Hopp wasn't being serious, but he insists that he does not like conflict. That is why he prefers teaching over practice. We are thankful for this preference; we are lucky to have had him as a professor.

On that note I will leave you with some Hopp wisdom. He insists that each case in the practice of law should teach you something. He says that "you advance in your career, if after each case, win or lose; you find something that you could do better. As soon as you think you have mastered the law, you are heading down hill."

PUBLIC-PRIVATE PARTNERSHIPS: A WAY TO HELP BUILD ABORIGINAL COMMUNITIES

Dib Aytenfisu (Treasurer, Aboriginal Law Students Association) (1L)

Insufficient and decaying infrastructure is a problem in many Aboriginal communities in Canada. We saw this during the Attawapiskat housing crisis. There are currently 118 Aboriginal communities under drinking-water advisories. The AFN estimates that 85,000 additional housing units are required to meet current needs. Can public-private partnerships (P3s) be used to help develop and maintain infrastructure in Aboriginal communities?

P3s are widely used for the procurement, operation, and maintenance of public infrastructure. Under a P3, governments can transfer any of the following elements of development to companies: design, construction, financing, operation, or maintenance.

Responsibility for completing the transferred elements is assumed by the private sector, as is the financial risk. The government retains ownership of the asset once the process is complete.

Use of P3s can assist with the development of infrastructure in Aboriginal communities. Under the traditional method of procuring infrastructure, maintenance is not included. As a result, maintenance of the infrastructure becomes the responsibility of the community or the reserve, funded by the federal government. However, the need for maintenance must be demonstrated to obtain funding. Under a

P3, maintenance could be completed as part of a long-term contract including regular assessment of the infrastructure's condition and completion of repairs. The private sector would have a contractual obligation to maintain infrastructure in Aboriginal communities.

In addition, P3s can eliminate the process of communities requesting annual maintenance funding, which has been criticized as inefficient. The federal government could benefit from a P3 arrangement because required maintenance funding would be known in advance. Infrastructure maintenance would be part of a contract, with any financial risk being assumed by the company.

P3s can help reduce the cost of procuring infrastructure through bundling of contracts. Numerous communities share similar infrastructure requirements. Rather than address community needs individually, the needs of numerous communities can be bundled into one contract, thereby benefiting from lower per-unit costs.

Another advantage of P3s is that the capital does not need to be provided up front; P3 contractors can obtain financing at low interest rates similar to what governments can obtain. Financing is the responsibility of the private sector without the government taking on debt. Long-term

planning can be effectively undertaken because the community's infrastructure cost is contractually guaranteed and spread over a defined period.



There are also challenges of addressing infrastructure needs of Aboriginal communities through P3s. One challenge is the frequency of change in leadership in Aboriginal communities. P3s rely on long-term contracts, and planning for major infrastructure can take years. As a result, the necessary engagement of community leaders could be difficult to achieve.

Another challenge is the remoteness of many communities. Private companies may be reluctant to operate in remote communities. This could lead to private companies expecting significantly higher compensation for assuming the financial risk of operating in remote areas.

Another challenge would be establishing mechanisms to prevent P3 companies from taking advantage of communities with little experience with this method of procurement.

The most significant challenge to using P3s in Aboriginal communities is one faced universally with P3 projects: trust. For a new idea to be accepted and implemented, the risks and rewards of the idea need to be identified and fully understood so that communities can select options that work best for them.

MOOT POINT: BIG RISKS & NO REWARDS

Natasha Edgar (3L)

BC and Alberta have reached a deal on the as-yet unapproved Northern Gateway pipeline. That's not a good thing. No matter how safe a pipeline purports to be, they are not foolproof. The proposed line stretches almost 1200km from Bruderheim, AB to Kitimat, BC. In fact, there will be two lines – the east-west line will carry diluted bitumen (dil-bit), and the west-east line will carry condensate – critical for thinning the bitumen to the point where it's capable of being pumped through the pipeline. Enbridge proposes to send 525,000 barrels of dil-bit to Kitimat every day.

There are two major problems with this pipeline proposal. First, Canada, and especially BC, is taking a huge environmental risk by pumping over half a million barrels of oil to our coast every day. Even if, as Enbridge claimed during the Joint Review Panel hearings, they are pumping approx. 99% without a spill – in a year 1% is



Pipeline Paramour

Pipelines are so hot right now! I notice Northern Gateway, KeystoneXL, or Trans Mountain pop up on Google news daily. I could be noticing all of these articles because in Alberta we have such an interest in the approval of these pipelines. Or maybe it is because pipelines like Energy East are being seen in a different light after recent rail transportation tragedies. Whatever the reasons may be, if you keep your eyes open pipelines are all over the news. Most recently, in a somewhat surprising announcement considering the historic vitriol between our premiers, Alison Redford and Christy Clark reached an agreement regarding moving energy resources via pipeline.

A statement has been released indicating that Alberta accepts BC's five conditions for pipeline approval. These conditions include completion of the

still 1.9 million barrels of oil spilled (in comparison BP's Deepwater Horizon spilled almost 5 million barrels). We also face problems getting the dil-bit safely out of our waters via tankers. Second, we are sending a raw, unprocessed resource out of the country to be refined without real economic benefits. We are not refining the bitumen here, we're letting someone else do it, only to have it sent back to this country for purchase as the final product. It will likely only create a few thousand temporary construction jobs and maybe a couple hundred permanent jobs.

But my real concern is for environmental safety. The pipeline crosses remote BC terrain where the ability to respond quickly to emergencies is neither assured nor likely. The pipeline proposes to end in Kitimat. Yes – Kitimat has an ocean port – but the channel into Kitimat is notoriously long, narrow, and dangerous for ships. The Joint Review panel heard countless hours of testimony from people who live in the area about heavy fog, high winds, and raging storms. Enbridge proposes to allow tankers

to enter into this channel carrying condensate in, and dil-bit out. What happens if a ship crashes? Aside from the obvious destruction and devastation to the area – an area of BC with many First Nations communities who rely on traditional fishing, hunting, and gathering, how does Enbridge propose to clean up the ocean floor of a substance which is heavier than oil? The clean up of the Kalamazoo River, an Enbridge spill, was the costliest oil pipeline spill in US history (over \$800 million) largely because of the composition of dil-bit.

There's also the risk of Enbridge itself. In June of this year Enbridge disclosed that it was not in compliance with National Energy Board Regulations at 117 of its 125 pump stations: 83 stations had no emergency shut-down buttons, 117 had no back-up power units – a rule on NEB books since 1999. Nor does Enbridge have a good record with its pipelines. In 2012 there were two spills, one in 2011, and the disastrous 2010 Kalamazoo River spill.

I don't care how many fancy ads or pictures of whales and green trees Enbridge runs, the facts are clear that this pipeline is not safe and our environment is not worth the risk, or the reward.

MOOT POINT: PIPELINES HAVE BENEFITS FOR ALL!

environmental review process, an oil spill response system to mitigate environmental risks, Aboriginal involvement to ensure the population benefits from the oil pipelines, and economic benefits to BC. In return, BC has agreed to sign the Alberta Energy strategy and to keep Alberta royalties off the negotiation table.

While the framework agreement purports not to support any single pipeline deal, some pipeline projects currently on the table between Alberta and BC include Enbridge's Northern Gateway, various gas transmissions with TransCanada Pipelines, and Kinder Morgan's Trans Mountain project. The agreement between the provinces is designed to set out the terms through which any project will be negotiated. As a born and raised Albertan cattle and grain farmer, you might be able to guess how I feel about this deal. While of course there are environmental concerns with any method of transportation, this agreement to move forward could prove to be a great choice for both Alberta and BC.

The obvious arguments for pipeline approval are the vast economic benefits that oil transportation will have for both

provinces. Not only does oil bring money, but it also creates jobs through construction, monitoring, and maintenance of the pipeline and facilities. Northern Gateway alone is estimated to bring \$1.2 billion in tax revenue to BC, add \$270 billion to Canada's GDP and provide \$4.3 billion in labour related income over the next 30 years. Another argument is that the oil sands are going to be developed either way. It may not be ideal, but halting pipeline production is not going to halt activity around Fort Mac. Also, pipelines provide a safer alternative to transport via rail or truck. A somewhat controversial study has recently come out of the Fraser Institute citing fewer fatalities and greater safety overall when transporting oil through pipeline rather than rail.

A pipeline agreement between Alberta and BC is great news. Being neighbors isn't always easy, but this agreement is hopefully an indicator of an improved relationship going forward. Note: The photo is one I took on my phone close to the Alberta-BC border on the highway 93 during the summer.

SERIOUS APPETITE FOR CHANGE: CLINICAL INTENSIVES AT THE UNIVERSITY OF ALBERTA FACULTY OF LAW

Scott Meyer (2L)

Since the Future of Law school conference two months ago, student representatives have started to engage in conversations with our Faculty about the prospect of bringing 15-credit clinical intensives to the University of Alberta. These discussions are the direct result of students submitting a proposal that calls on our Faculty to offer business and family law clinics.

This proposal, if implemented, will expand the opportunities available to our student body to gain vital practical experience. The idea is that these clinics would be offered in addition to the already existing for-credit clinics including the Low-Income and Courthouse projects, and the volunteer positions at Student Legal Services.

The three main goals of this project are to:

1. Help students better achieve their career goals on completion of law school
2. Attract top-quality applicants to the U of A's Faculty of Law
3. Improve the substantive education at the U of A by adapting to the changing legal market and technological realities.

Although the exact curriculum for the intensive still has to be precisely discussed, we imagine that it would require a 2-3 week intensive seminar course, and then 3 months of working with a practitioner, in addition to writing and presenting a major research project.

Since the submission of this initiative, our Dean has indicated an interest in the project, agreeing to send the proposal to our school's curriculum committee for further expansion and review. As this report was being authored however, students also sent out a survey to consult with our student body to better ascertain their thoughts on the idea of bringing a clinical intensive program to the U of A. The numeric results of this survey are as follows:

1. What year are you in? (# Of students)

1L- 69
2L- 59
3L- 54

2. Would you support an intensive clinical program if it were offered at the U of A Faculty of Law?
Yes- 174
No- 8
3. Would you be interested in participating in an intensive clinical program?
Yes- 164
No- 17
4. Would you be interested in a family law clinic?
Yes- 111
No- 69
5. Would you be interested in a business law clinic?
Yes- 126
No- 55

Perhaps some of the most interesting results came from the last two questions when students were asked what types of clinical initiatives they might be interested in, and if they had any additional comments about reforming our curriculum. Interestingly enough, 36 out of the 122 commenters wanted the Faculty to consider implementing clinical intensives with Criminal firms.

While the reception to this idea was overwhelmingly supportive, as the foregoing numbers have shown, some students did voice valid concerns about what the program may look like, and what might be some unintended consequences of the program. Starting off, a number of students expressed concern that participation in clinical intensives would be based too heavily on a student's GPA. The largest concern for students however was determining whether or not a whole semester away from law school would diminish the value of their degree. Several students expressed concern that this project would diminish students understanding of doctrinal theory, even going as far to say that this type of initiative would effectively make us into a trade school. Students were also worried that firms may scale back the number of summer studentships they offer as a result of a new pool of 'unpaid interns', while other students felt that experiential learning is better left for CPLED and their articling year.

When all of these concerns are taken into account, and our Faculty's tough fiscal situation is kept in mind, it could be argued that this is simply not the time to advocate for a proposal as comprehensive as this one. But on this note, I would like to draw the attention to Professor Adams' closing remarks at the Future of Law School conference when he remarked that often the greatest advancements in our legal education system have come from times of calamity.

This is true for our Faculty now more than ever. It is undeniable; our law school is in the midst of an identity crisis, as a result of a whole host of external and internal factors. On the international side of things, the ground under the legal profession is rapidly shifting, with no one being able to definitively predict what the landscape of our profession will look like when the dust finally settles. On the national side of things, the Federation of Law Societies of Canada's new set of competency requirements for Canadian law schools has taken away what used to be a unique staple of our law school's degree; that students graduating from our institution would graduate with a firm understanding of basics in a number of important areas of the law. On the institutional side of things, our Faculty has been forced to deal with massive cuts to our provincial operating grant, in addition to the fact that our Faculty is in the midst of a decanal search.

But as far as I see it, all of these underlying problems provides us with a golden opportunity to reinvent ourselves. We have the option available to us to rebuild our school with a new vision. We have the opportunity to be entrepreneurs with our legal curriculum; where other schools simply throw money at a problem, we will be undoubtedly forced to be a little more creative, but to my mind, that's the exciting part. Just because we don't have the answers about what tomorrow's legal education system will look like today, does not mean we should stand idly by. Rather we should be taking this opportunity to experiment with all types of projects, because without experimentation, you cannot have innovation; and what our Faculty needs more than anything, is a healthy dose of innovation, and it is students' belief that business and family clinical initiatives is a great place to start.

COP 19 CONFERENCE COVERAGE

Kathleen Coulter (2L)

I'm sitting at the computer frantically sending emails, checking the status of our viewers, a million questions running through my head, and all the while the clock is steadily ticking. Ahmad Alhendawi, the Secretary General's Envoy on Youth, will be walking in here any minute. I'd spent all week coordinating a virtual discussion with youth NGO representatives from all over the world, interested in hearing about our experience at COP and speaking directly with the Youth Envoy. And, due to technical difficulties, the discussion was going to turn into an awkward hour-long chat between Ahmad and I, and a few of my associates.

Fortunately, just as Ahmad was walking in the room, we connected with a few of our virtual participants. I had confirmation we were broadcasting live. More joined in throughout the hour and it ended up being a very successful program. We wanted to show the Youth Envoy that it wasn't just the few of us present at the conference who cared. There were youth working in every country, activists and advocates working against climate change. I think he saw that and appreciated it. He said something

during the chat that I thoroughly

agree with. By the time any of us reach the conference, there's not too much we can do. Governments and negotiators have already decided on a position. It's up to us back home to take the steps we can, through grassroots movements in our local communities and countries, to change our government's mind.

I spent the past two weeks in Warsaw, Poland

attending the 9th Conference of Youth and the 19th session of the Conference of the Parties to the United Nations Framework

Convention on Climate Change. I've had an incredible experience. I learned so much working with different members of the youth constituency, each with different messages and methods of advocacy and activism. I attended workshops and side events. I met with lead negotiators from highly influential countries and had the opportunity to share my delegation's key



messages.

As a representative of the World Association of Girl Guides and Girl Scouts, it was my objective to show the necessity of capacity building to any deal addressing climate change. Without essential skills or knowledge, how can any community be expected to implement policy? Furthermore, capacity building must be directed at young women and girls, a demographic disproportionately affected by climate change. Natural disasters and scarce

resources exacerbate existing inequalities. But women and girls are in a unique position to address climate change issues. They are often responsible for gathering water and food, and make up the majority of the agricultural workforce in many countries. By targeting women and girls, we can truly improve methods of mitigation and adaption.

Looking back, I'm pleased with how far I spread this message. I think everyone I spoke with understood that capacity building is the foundation to any solution. Everything comes down to what we do at home however. Everything you do here makes a difference and contributes to a successful deal in 2015.

IT'S TIME FOR FORD TO GO

Andrew Chai (2L)

The people of Toronto could never have known that things would turn out so badly when they elected Rob Ford as mayor of Toronto back on October 25, 2010. I certainly did not when I cast my ballot. At the his inaugural city council meeting Don Cherry even described Rob Ford as "honest", "truthful", "what you see is what you get", and the person who was going to be "the greatest mayor this city has ever seen". He is now eating his words and those of us who voted for him are regretting our decisions. Even though support for Rob Ford may have actually gone up after he admitted to using crack about a year ago in a drunken stupor polls suggest that, among those members of the so-called "Ford Nation," his support has actually

taken a significant hit.

We were lured by promises that he would end the gravy train, stop the culture of entitlement at city hall, and take care of taxpayers' money. Cherry also alluded to this when he talked of "all the millions and millions and thousands of dollars" that he was going to save. But all that has become irrelevant. It no longer matters whether he is able to deliver

what he promised. It no longer matters how well you've run the city when you have lost the trust of the people. This scandal is the final straw out

of many that have come to overshadow whatever he may have accomplished. From lying about drunk driving in Florida, causing a drunken disturbance at a hockey game, being charged with domestic assault, groping a past mayoral rival,



showing up drunk at city hall on the night of St. Patrick's Day, and many more drunken appearances that have shown up on social media and in the news, Rob Ford has made plenty of mistakes.

But, unlike those other times, his latest "mistake" is one that neither he nor the City of Toronto can move forward from. What he has done goes beyond simply being an alcoholic. And it has done much more damage than humiliating Toronto in front of the world's media and allowing it to be the butt of jokes from late-night comedians. He has completely shattered the trust that the people of Toronto have placed in him. Not only has he been lying to the people all this time about his drug use, but has been consorting with convicted criminals in order to cover it up. Instead of getting tough on drugs and crime he has actively been involved in it. Now that the police have the video every minute he is still mayor is a minute delaying Toronto's recovery from this whole mess. Rob Ford needs go and take a good long look at himself in the mirror. He should reflect on his past rhetoric on entitlements and realize that he is no longer entitled to hold the office of mayor. It is time for him to go.

THE 411: CRTC AND THE "WIRELESS CODE"



Nora Kharouba (3L)

Hear ye, Hear-ye, cellular mobile users: the time has come! The Canadian Radio-Television and Telecommunications Commission (CRTC) will be unveiling a new Wireless Code (the Code) on December 2nd 2013. What is this code I speak of?

Wireless providers will be subject to new mandatory requirements soon. The Code was drafted after the CRTC sought the public's input through online surveys about ways to improve wireless service. Overall the survey revealed that customers wanted two things: better prices and better customer service. Consumers also expressed their needs for more clarity when it came to cell-phone contracts.

The CRTC is exercising its constitutional powers to create a standardized set of norms

that will benefit consumers by ensuring they have the same rights across Canada. Some of the Code's features include: caps on extra data charges at \$50 per month and international data roaming charges at \$100 per month. This cap means that a customer's data service will be automatically suspended once the customer has reached the associated cap, unless the customer expressly consents to override the default limit. CRTC will also require providers that give customers locked phones to unlock the device, or give the customer the means to unlock the device, upon request, at the rate specified by the service provider, no later than 90 days after the contract starts. Most importantly, the Code requires companies to produce contracts that are easy to read and understand, the particulars of which can be found here: http://www.crtc.gc.ca/eng/info_sht/t14.htm.

Service providers will still be free to determine their service rates and the costs of cellular devices. One may pose that the Code will not be effective since any fees providers lose as a result of the

regulations can be compensated for through increases to service price. However, the Code will also have provisions making it easier for consumers to switch providers – for example, by providing caps on cancellation fees to allow consumers under a contract term the ability to end the term easily. The hope is that market competition should discourage wireless providers from increasing their service fees.

The CRTC has said the Code should apply to all contracts, no matter when they were entered into, by no later than June 3, 2015. This means that the Code is to apply retroactively to contracts signed before the Code comes into effect. What is the effect of this? For example, a three-year contract entered into in say, September 2013, before the Code is released and which would normally run until September 2016, could be terminated by a customer on June 2, 2015 without payment of cancellation penalties that would have otherwise applied. Not surprisingly, Canada's major telecom companies (such as Rogers, Bell, Telus) decided to challenge the Code's retroactive effect on three-year contracts. The telecom companies were given the green light to do so on September 24, 2013 by the Federal Court of Appeal. Stay tuned for the actual trial!

LAW AND BUSINESS ASSOCIATION: MAIN STREET LAW

Joshua Allen (3L)

I am thoroughly biased but I think that Law and Business Association events offer a candid look at both "business and the law" and "the business of law." I would encourage anyone who has any interest in business to consider attending our future events.

Our most recent meeting was a talk hosted by Frank DeAngelis and Patrick Cummins. Frank and Patrick are lawyers with Main Street LLP, a small firm with its headquarters in Spruce Grove. Main Street specializes in law for individuals; real estate, personal injury, wills and estates, family law and small business.

Frank originally articled with a large firm and stayed there for a few years before moving to Spruce Grove to join a small practice. He founded Main Street Law Offices in 2002. Just this year, he formed Main Street Law LLP in a partnership with three other lawyers. Main Street has 4 associates and two planned articling students starting next year, of which I am

one.

The substance of the talk was mostly about Frank's experience as a business owner, including a discussion on lifestyle in a small firm, marketing strategy and earning potentials. Patrick is an associate at the firm, and he provided interesting insight into being an associate at a small firm and the transition to an "eat what you kill" business model.

One of the tips or techniques that Frank shared was the concept of every-day marketing. He argued that marketing should not be something you do one day a month, it is something you do every day and incorporate it into your practice. For example, Frank advocates taking someone, who is related to your practice, or desired practice, out to lunch each week. He suggests not using this to directly solicit work, but to get to know the person; the work will come organically.

Frank also challenged the assumption that many students harbour about making partner. He said that being a partner is not always better, particularly in smaller firms.

He suggests that being a partner can entail a significant amount of extra work, as well as reduced flexibility because of the capital contribution. The real question is whether you want to be a business owner.

Frank also argued that on an hourly basis, small practice can also be very financially rewarding. One of the reasons for this is that an associate starts to get their own clients very early because of increased face time with clients. Main Street is also proud of the fact that, except for exceptional circumstances, there are no evenings or weekends required.

I spoke to Frank after the talk, during a trip to Hudson's, and he said he had a fantastic time. He even suggested he might be willing to give another talk next year. Hopefully next year some of his partners will provide their own perspectives.



SENATE SCANDAL

Kelly Starrak (2L)

In November 2012, the Senate's internal economy committee began to audit the housing allowances of its members. Findings indicated that certain expenses were being improperly claimed. Under particular scrutiny was PEI Senator Mike Duffy's claim for \$33,000 in living allowances for a 'secondary' residence in Ottawa that appeared, on the facts, to be a primary residence ineligible for such allowances. Though owner of PEI property since 1998, Duffy had resided in the Ottawa area since arriving as a journalist in the 1970's, had purchased the claimed residence in 2003- five years prior to his upper house appointment- and had long been an active, registered voter in the Ottawa area. His place of primary residence was, for all intents and purposes, Ottawa.

On November 5, 2013, after a year of further investigation and discovery regarding the misuse of public funds, the Senate voted to suspend Duffy and two fellow Senators- Pamela Wallin and

Patrick Brazeau- for "behavior which clearly abused the rules of the Senate." Harper, alert to the opportunity to bolster his party's appeal, declared: "For those who are concerned about the Senate scandal, I only need to point out that it was this party, the Conservative Party, who required for the first time transparency on Senate expenses. And [it is] only this party, the Conservative Party, that has sanctioned those who have not respected the rules."

Interestingly, Section 23 of the Constitution stipulates that a Senator "shall be resident in the Province for which he is appointed." It could be argued that the Conservative Party disrespected the Senate rules by appointing Ottawa-residing Mike Duffy into the PEI Senate position? I guess that depends on the definition of "resident." Those of us in Spyruzak's tax class would be hard-pressed to find a voting, long-term resident of Ottawa to be a primary resident of PEI. However, when an internal memo to Duffy reviewed this issue shortly after his 2009 appointment, author Christopher McCreery defined "resident" so liberally

as to offend a reasonable interpretation of the word.

He noted that the Senate, as "master of its own house", had "never disqualified someone for not being a 'resident' of their province of appointment": "there has been a longtime convention that so long as a Senator owns property in his or her province of appointment, then they are allowed to sit as a Senator from that province, even if they live in Ottawa 99% of the time."

This raises an issue very relevant to our legal studies: Does a pattern of failing to meaningfully adhere to a Constitutional requirement justify the behavior? Constitutional lawyer and OttawaU Dean Sebastian Grammon believes otherwise: "non-compliance over a period of time does not make the requirement disappear." So, when considering whether certain parties should be applauded for sanctioning Senators "who have not respected the rules", it may be pertinent for members of the public and legal community to ask ourselves, "What rules do we actually expect to be meaningfully upheld?"

PROFILE OF A SNAIL

Ariel Lekas (1L)

Not even three months into 1L, I am well aware of the derision and disdain that most law students hold against the common SNAIL. Although the University of Alberta aspires to "maintain a culture of scholarship and open academic inquiry, respect and tolerance" in all of its libraries, it's sometimes hard to remember that while we're paying extra tuition, strung out on caffeine, and looking for a place to cram for finals. As lawyers, we will have seen things from our clients' perspectives - why not start now, with one of John A. Weir's own SNAILS?

Q: Hello, SNAIL! What is your year and program of study?

A: Fourth year, Bachelor of Education

Q: How often do you come to the Law Library to study? Do you usually come alone or with a friend? If with a friend, is that friend in law school?

A: Well, the first time I came it was to wing-woman my friend. Once I saw how cute the law guys were, I started coming more often. Now I come with my boyfriend to make sure he's not

creeping on the 1L girls too much.

Q: Why would you choose to come and study in the Law Library as opposed to one of the other libraries on campus?

A: Have you seen the talent among the upper year law guys? I hear they're really good at handball too!

Q: Do you feel welcome in the law library? Do you feel like there is a stigma attached to being a SNAIL? Please explain why or why not.

A: Haterz gonna hate. I don't feel welcome because they think they're better than everyone... and they are.

Q: If there was one last carrel in the law library and you saw a law student heading towards it at the same time as you, would you let them have it?

A: Yes I would, because if there was one basketball left they better fricken give it to me.

Q: Have you ever had any awkward encounters with a law student in the law library?



A: One time this tall guy who kind of looks like Uncle Jesse from Full House asked me to make out with him in the bathroom. Awkward! I think his friends call him the King?

Q: Have you made any observations or drawn any conclusions about law students based on their behavior in the law library?

A: They think it's okay to be loud on the main floor just because they're in law. I understand that there are resources down there but it doesn't excuse talking while others are studying.

Q: Do you want to go to law school?

A: Why would I want to go to law school when my boyfriend is and can just buy me everything I need when he's a rich lawyer?

Q: Is there any message you want to pass on to the law students about SNAILS such as yourself?

A: You don't own the place. King Steve owns it!

THE COLD, HARSH PRAIRIES: SURVIVING EDMONTON'S WINTER

The dark, cold days of winter are finally upon us. For those who are new to Edmonton or those who have willfully suppressed the memory of the harsh reality of winter, this can be a disgruntling time. Surviving the five to six months of winter in Edmonton is a test of one's patience, endurance, and mental aptitude. So, here are a few pointers that will hopefully make the next few months a little less foggy and a little more egg-noggy:

1) Don't plan to get anywhere on time. Or, just plan to leave the house super early. Plan for travel time. Cold temperatures slow everything down. This includes driving, public transit, and walking. Give yourself extra time to get everywhere! Not only does this lower your stress from constantly worrying about being late but it will also make you much more safety-conscious. Attempting to rush around, drive quickly or run on snow-covered ice in the winter is just asking for trouble.

2) Learn to 'Ice Shuffle'
A true Edmontonian skill is the ability to walk on icy sidewalks without falling. This expertise does not come overnight, but with a bit of practice it can save your body from a few bruises and some major butt aches. Rules of a mitten-covered thumb: stay relaxed. Do not freeze and freak out as soon as you start slipping and sliding - you will fall. Instead, stay 'cool' and simply glide on the ice. Shuffle along, not lifting your feet far off the ground, and soon you will be off on your merry way to class. Hoorah!

3) Dress in Layers
The balance between staying warm and being too warm is never easy. Going from being bundled up and surviving the -15C or worse outside to being comfortable at 20C inside can be tricky. Dressing in layers is the best way to get the best of both worlds. Wear stockings or long underwear

under your jeans, or perhaps avoid wearing cotton as a base layer for example. As you warm up you can begin to peel off some of your layers, putting them in your locker to avoid excessive and confusing sweating as the day goes on. Dressing in layers also provides an excellent excuse to go shopping.

dark at 5pm and -20C outside it can be terribly tempting to stay at home and watch an extra hour of Netflix instead of getting your sweat on. The days of running in the river valley or playing ultimate frisbee with friends are long gone, but keep exercising! Start cross-country skiing, hit the yoga studio or go swimming at a nearby pool. Winter gets a lot more bearable with a little break to get your heart rate elevated. Not only does exercise improve your self-image, but it also makes the dark days a little brighter.

5) Get Any Sunlight Possible
As the days become terribly short, sunshine becomes a rare commodity. I find just getting a little sunlight each day helps inspire hope that winter will eventually come to an end. The Law Building is designed to keep sunshine and hope away from us students so this may take a bit of effort but it is well worth it. Sit by a window in the library, step outside for a breath of fresh, frosty air or simply walk outside instead of taking the university's massive pedway system. Light therapy has been shown to prevent Seasonal Affective Disorder and we all really need to work on our 'tans' over the winter anyways.

6) Enjoy the Beauty of Winter
Finally, while winter can be truly terrible for reasons already mentioned, it also can be a beautiful time of the year. The crisp clear mornings, the soft fluffy snowflakes and the sound of snow crunching under your boots should be enjoyed! Winter allows you to appreciate marshmallowy hot chocolate, Christmas lights shining through the sparkling snow and cozy times by the fire with friends. Playing hockey on an outdoor rink, going skiing in the mountains, visiting Candy cane Lane and shoveling sidewalks are all activities that make winter the joyous time that it is, so appreciate them!

4) Keep Exercising When it is

Hopefully these tips will help make the winter a little more bearable for you this year. Good luck with finals and Happy Holidays.

**WE TEACH
YOU WHAT
LAW SCHOOL
DOESN'T**

Contact Jon Rossall at jrossall@mross.com
or visit www.mross.com for more information.

A MODEST PROPOSAL: HOW TO MAKE MONEY FROM STUDENTS

It is a melancholy object to students of this law school to see that there will be a \$12 fee (\$13.05 after converting to Canadian dollars) for writing exams each semester on their laptops. Over the course of three years, each student will have to pay \$72 for the convenience of writing their exams electronically. While none of us are particularly upset about the amount we have to pay, it does raise the question – what's next?

Perhaps there are some other ways the faculty would like to make money off of us which they can't *technically* include in tuition. How about a fee for the bathrooms? You can certainly justify it along the same lines that "other places do it" – that is, European cities, and low income neighbourhoods in Toronto and Vancouver. There's a simple alternative if students don't want to pay – drink your coffee at home. You

could also include the "added convenience" of do-it-yourself plumbing maintenance.

What about a BYOF (Bring Your Own Furniture) initiative to the library? The school can sell its stock of furniture and we would be free to bring our own and study at whatever sort of table, beanbag chair, leaning against the wall, situation would work best for us. It's really in the best interests of students not to be leaning over desks all day anyways. Why not call it a "Healthy Posture Initiative" – really classes it up. As an added bonus, students will no longer complain that the SNAILS are taking over the library when there's nowhere left for them to sit. I guess the faculty could also spin it as fulfilling student requests for a law student only library. We asked for it!

Or maybe there are heating or electricity costs to be saved. First things first, turn the heat off. Hey, if

you don't like it, buy a bigger jacket, bring your quilt, or do jumping jacks in between lectures. Students are here to get an education, but what do you think this is, a country club? Let students fend for themselves during the Edmonton winter! Isn't studying Conflicts in the freezing cold enough to warm your heart? Maybe students will actually be able to stay awake in some of the duller classes now for fear of dying of frostbite in the middle of a lecture. No longer will professors have to put up with students who have that half-glazed look in their eye, instead they can watch as students stamp their feet and clap their hands together to stay warm. Rolling blackouts of the electricity would encourage students to charge their laptops at home. How come students are freeloading off the faculty in the first place by charging their computers at the school? Hasn't the school made it obvious they don't want students bringing their laptops to school – isn't that what the \$12 charge was about in the first place?

MISS CHIFF: WHEN TO NAP AND OTHER ADVICE



Any similarity to persons living or dead is unintentional. Except where it's blatantly obvious.

Dear Miss Chiff,

I used to take quick snoozes in class all the time during my undergrad. Now that I'm constantly boozing after class I'm permanently tired. When is it ok to nap in my law school classes?

- Rip Van Winkle

Dear Tinkle,

Looks like we have Booze v School in this case with the Honorable Miss Chiff presiding. ALL RISE! School/grades only matter for becoming a lawyer and OCIs/articling week. Booze matters for social lives, having fun (because you're probably pretty boring, you are in law school), snappin' necks and cashin' cheques (you'll actually probably need a job to cash those cheques). So I'm probably going to have to err on the side of not getting drunk every night so you aren't falling asleep in class, wait until you have a job for that. So, no, never is appropriate to nap in class

(unless it is a rare and elusive Movie Day, then nap away).

Dear Miss Chiff,

Every time a professor calls on me in class I freeze. This could be my crippling fear of speaking, or it could be that I never do the readings. What kinds of excuses should I make for not being prepared for class?

- Slacker Jack

Dear Freezie Puff,

The following is something that I have seen actually happen, and was one of the more interesting question evasions I have ever seen in law school. Just completely ignore the professor. For example: if the professor says, "Freezie Puff, what is the requisite mens rea for murder?", you would simply stare at your computer screen, or straight ahead (if you're a dinosaur or trilobite fossil that takes notes by hand), and wait for the moment to pass. The prof might say your name a few times, or you might turn beet red and get all shifty eyed, but screw it! #YOLO!!

Dear Miss Chiff:

Someone in one of my classes always skips class and then asks me for my notes. I really don't want to give them my notes, but I also don't want to burn any bridges. I'm already known as a gunner; the last thing I need is for people to think I'm also a heartless, note-hoarding jerk. Thoughts?

- Note a Jerk

Dear Jerkiest Nerd,

I like to give them the notes still, but insert strange (and incorrect) facts and personal insults among the case names and ratios. Soon they may catch on, and likely stop asking for notes, and abracadabra your problem is solved! Change a "does" to "does not" or a "negligent conduct" to an "intentional conduct" in the ratio of an important case, and if they don't catch on it is even better! WORK THAT CURVE BABY!

Have a burning question you'd like a snarky answer to? Saw a law student you just can't get off your mind? I can help! Email misschiffmissedconnections@gmail.com to have your problems solved and your dreams come true!

<p>Ryan Berget</p>  <p>Friendliest Stash - the kind you bring home to mom.</p>	<p>Mark Jordan</p>  <p>Most Likely to Lure Teenage Girls - some use candy, Mark uses his upper lip.</p>	<p>Scott Meyer</p>  <p>Most Viewed - Scott's stash gets around.</p>	<p>Iain Walker</p>  <p>Best Colouring - let's be honest, Gingers rule!</p>
<p>Mikhial Carter</p>  <p>The Mo' Daddy of Them All - no explanation required.</p>		<h1>MOVEMBER AWARDS</h1>	
<p>By: Seanna Lawrence (2L)</p>	<p>Russell Mann</p>  <p>Trendsetter Award - not sure what this style is called, but it is awesome!</p>		
<p>Ryan Ghuman</p>  <p>Most Improved - didn't take long for this beauty to fill out.</p>	<p>Rodney Perkins</p>  <p>Manliest Stash - parents... hide your daughters.</p>	<p>Alex Hunt</p>  <p>Best 19th Century Villain Tribute.</p>	<p>Faiz-Ali Virji</p>  <p>Best Biker Stash - chicks dig bad boys.</p>

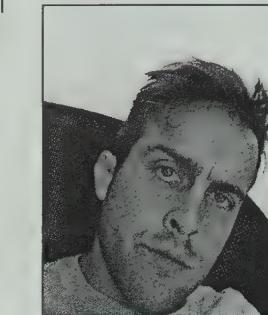
Joshua Samac (1L)

Scott Turrow lied to me – words that circumnavigated the celestial sphere of my mind's eye the other night as I restlessly tried to bring myself to slumber. I've heard that a running mind is common stance amongst those (un)lucky enough to call themselves 1Ls. Perhaps I'll be the first to admit that, upon getting *The Letter* from Kim Wilson, I went straight to a friend (of Osgoode Hall) to borrow his texts with which I could spend the remainder of my summer getting ahead of my classmates. How misguided I was to think I would spend my summer reading a constitutional law text. The excitement waxed. Then it waned. Reality set in. Dreams of becoming a constitutional scholar before my first day fizzled. No such reading happened. It is barely happening now.

Once word got out that I'd be "going West young man" the floodgates opened and the unsolicited advice came pouring in. The rest of my summer would not be spent meticulously planning my next three years. It would be spent having one last drink before I go with everyone – thrice over. It would be spent hearing those older and wiser than I tell me how it is and how it ought to be. Still wondering

who Scott Turrow is?

For those that haven't read it, *OneL* is Scott Turrow's account of his first year at Harvard Law (1977). An enthralling biographical piece - a real page turner, as they say. Following some discussion, the book was passed to me with purpose from my mentor – a senior lawyer. I was told it would prepare me for the Carthaginian slaughterhouse I was about to walk into. Having been a OneL at Harvard Law in the 1970s, the author tells his readers of a cut-throat pressure cooker that at times brought many of his peers (himself included) to the brink of full-blown emotional melt downs while pushing the rest to cigarettes and alcohol – the lawyerly vices. Turrow depicts the ruthless onslaught by professors wielding the Socratic method on unassuming and forever ignorant OneLs. The peer competition was snide and at times downright nasty. What have I gotten myself into?



HE SAID: IMPRESSIONS OF 1L

I will admit, the first week of lectures I was mentally preparing for war. Even before classes began, I confess good friends and esteemed peers, I was sizing up every last one of you. Posturing my competition. Though I must plea to you, reasonable third party, do not hold it against me. In Hobbesian state of being, this is good sense no doubt. I confess, I was under the impression that law school was solitary and brutish. How quickly this impression died and how sweet was the embrace of realizing that law school was, at times, fun and collegial! I'd never heard of a professor that invited his students to hurl paper balls to the front of the class. I did not expect to find myself part of a community of Rugby players and fusballers. Indeed, the U of A Law has knocked me and my (queue mental hippie voice) "preconceived notions" on my ass. Scott Turrow, lied to me. Thank God.

SHE SAID: IMPRESSIONS OF 1L

Danni Chu (1L)

What was I expecting?

I daydream a lot, so I had a lot of expectations coming here: that the profs would be mean (no), that I'd spend all my free time in the library (if by library you mean Hudson's...), that I'd die during the winter (TBD). But the thing I was worried most about was how to interact with my classmates. I was expecting competitiveness and solemnity – a class full of *that guy*. You know, the one from your undergrad class who thinks lectures are really just a forum for him to air his personal opinions, loudly scoffs when anyone else says anything, and uses words like 'solemnity'. I was expecting everyone gunning for numero uno and willing to squash anyone to get there. I remember the weeks before law school, freaking out about whether I shouldn't smile so much because I didn't want people to think I was easy pickin's (walk hard etc.). Instead, it feels like we're one



big team! And yea, you have the people that

talk more in class; but people here actually know what they're talking about, so they don't suck when they do it. Plus, when they voluntarily talk, it means I don't have to pretend to be really busy taking notes when the prof calls on people for answers.

What wasn't I expecting?

I wasn't expecting how many social events there'd be! I guess this ties back into my 'I thought this place was gonna be a fun vacuum' expectation. But I'm glad everyone goes out. Coming from physics at UToronto, it's definitely refreshing. Their idea of socialization was that hour we debated the merits of using helium over hydrogen to cool our superconductors. Yea, it was a long hour.

Oh also, that you guys don't f*ck around when pizza is advertised. There is literally more pizza than anyone can eat. Both the physics and philosophy departments

at U of T were cheap, so I'm used to rationing. Kudos.

What do I love?

I could say all the cheesy things that idealistic first years usually say. How everybody I've met rocks, administering justice makes me feel boss etc. But an unexpectedly great thing is that I now have an entirely new subject area of puns to make. Better yet, not only do I now get to make obnoxiously lame jokes in a whole new arena of subject matter, but everyone else also seems to have an inclination, nay, a responsibility to each other to also employ legal concepts in dorky jokes. You know, a vicarious lolability.

What do I hate?

Um there's not much. That super exclusive law secret library reading room gets pretty cold I guess, but other than that I'm pretty pleased with my decision of being here. Oh! That Josh Samac guy. His rugged good looks and devastatingly witty writing. Ugh!

EXAM ADVICE FOR 1Ls ON THEIR FIRST LAW EXAMS

My advice for exams is keep doing whatever you did in your undergrad to get to this point; it obviously worked! Whether that means getting through all the readings and making your own CANs, or starting a study group where you divide and conquer, remember that everyone is different. What works for the person to your left and right will not necessarily work for you. It can be maddening getting into a comparison game. Everyone also has different commitments and goals for the year. Some may work part time jobs, are very involved and are happy with class average. Others may have fewer commitments, or want to make Dean's List. Just keep doing you and everything will work out, and if it doesn't, don't worry, midterms are to essentially see if your process is working. Winter term is more than enough time for adjustments!

Seanna Lawrence, 2L

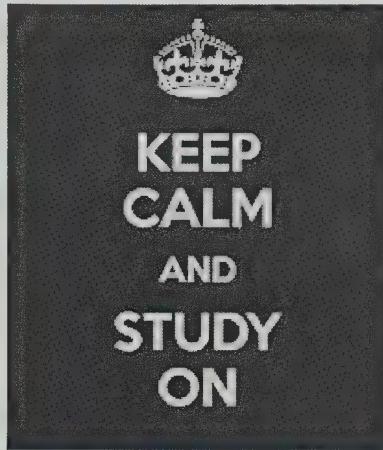
Maybe most important during exams is not to get caught up in the anxiety and panic of the masses. First year is the year to freak out: Everything is uncertain, and the fear of the unknown is debilitating sometimes. The reality is that you will all be just fine. Everything is going to work out, even if you get a C-, or worse. Just breathe. Exercise. And, trust yourself - you got this.

Now, because I know that none of the foregoing will land because you are all going to freak out until 2nd year anyways, I will include some practical advice. If you haven't completed all your readings, at some point you have to abandon ship and just study. Determine what the key cases are, read those thoroughly, and for the rest, rely on a CAN. Don't get too caught up in the facts, just know the legal tests and ratios, and how to apply them. Doing practice exams will help you in this area. Good luck!

Renee Bolianatz, 3L

1 - Just do it! There will always be the temptation to procrastinate. The best thing to get over the fear that you didn't actually learn anything this semester is to open the books and study.

2 - Break it down. Cramming for twelve



hours the night before an exam doesn't work for everyone. Break your courses down into manageable chunks and work through it over time. You'll be much more confident with the material come exam time.

3 - Write it down. Once you're in the exam, get your thoughts out. Laptop writers have the opportunity to review their work and make changes, so there's no harm in putting your thoughts to "paper". At the same time, make sure you read the questions carefully and answer what was asked – no sense wasting time going off on a tangent about how smart you are...

4 - Shut your mouth. Don't talk about the exams once they're done. When you've submitted your exam there is nothing you can do about it, so move on to the next one.

5 - Celebrate. When exams are done, reward yourself. You get to do it all over again in four months.

Bryanna White, 2L

Exam season is a stressful time of year. Last December I had 4 exams in 5 days: I moved into the library, cut all family ties, and screamed at a SNAIL who managed to sneak into the quiet room (and sat in my spot). However, that doesn't mean I didn't keep my oh-so-sunny disposition throughout the doom and gloom of finals! Here's five ways to stay positive when you'd rather be roasting chestnuts on an open fire:

1 - Listen to THE BEST MUSIC IN THE WHOLE WORLD - AKA multiple Disney and Christmas playlists. 8-tracks are a great place to find some hidden gems.

2 - Make friends with

procrastibakers - They're everywhere, and they want to share.

3 - Exercise - If you don't have time to leave the library, pull a Devin Crisanti or Lisa Martens and play around with inversions while you study!

4 - Enjoy the holiday season - Rock the Christmas earrings. Check out some light displays, sip on an eggnog latte, and finish all your holiday shopping online.

5 - Use study breaks to look at puppies, not Facebook - Instead of turning to social media, look no further than reddit/r/aww! Santa-Pugs are way cuter than a baby's first Christmas.

Erin Townley, 3L

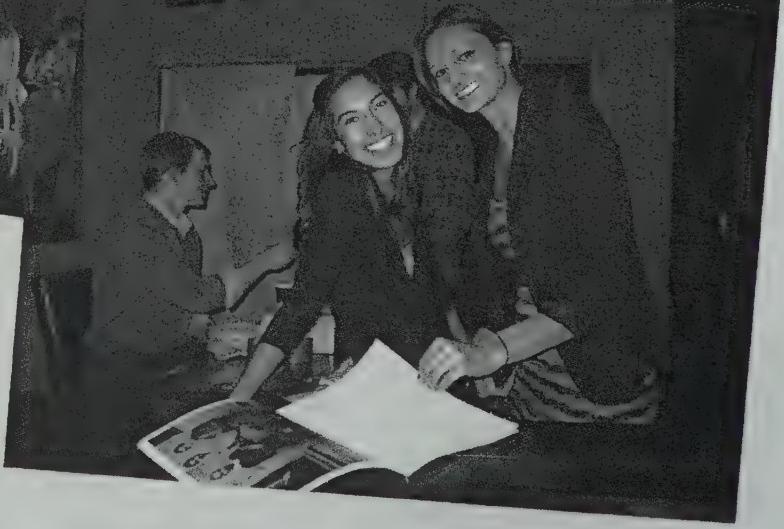
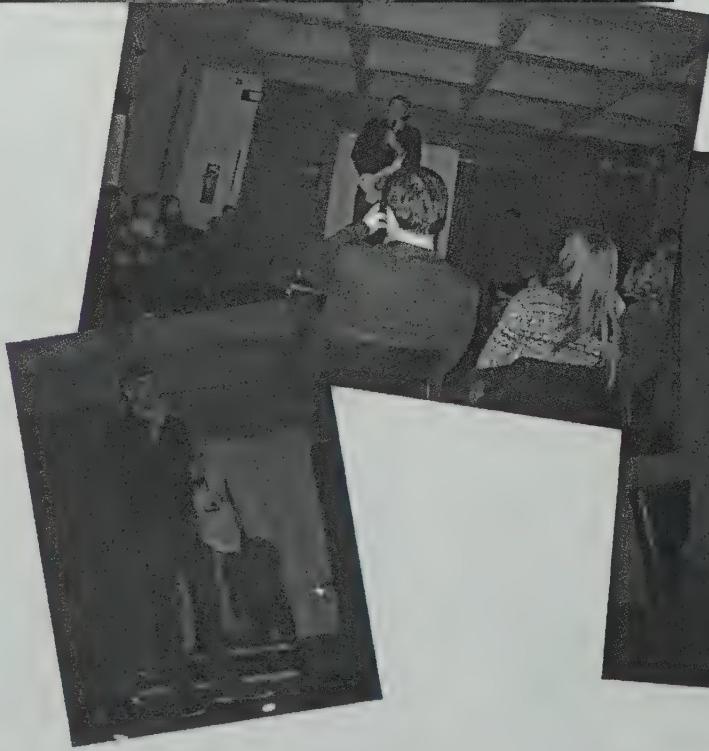
1) Remember when you are writing an exam to write what the law is first, then apply it to the facts. 2) Don't bother to make your own CANs for every class. Pick a couple classes that you feel confident in and write your CANs as though you're synthesizing the law for an exam answer. This is a good skill to have and once you practice it, you'll find it easier to put to use elsewhere. 3) Do practice exams for every class. 4) Lastly, when you're writing an exam relax and focus on exactly what is being asked of you.

Lisa Wingenbach, 2L

Chill Out! Exams are stressful, especially if this is your first time writing a real law school exam, but you have to remember, dumber people than you have done it before. So with that in mind, make sure you carve in time to take a break, whether that's going for a run, or consuming an entire tube of Pillsbury cookie dough. Sitting in the quiet room, where everyone else seems to be coming before you and leaving after can only psych you out. And really, everyone passes, I promise.

Lisa Martens, 3L

Rugby Fashion Show 2013



JUST THE TIP: WINDOW TINT

Mario Babic (3L)

This month, we will visit a very narrow problem: the prohibition of window tint on the front windows of automobiles. This month's tip like many before it was borne out of necessity. As police enforce rules which curtail our liberty under the guise of public safety, one cannot help but instantly think of Figure 7.2 (F. C. DeCoste, *On Coming to Law* at 191). Truly if one wants to tint their vehicle windows and live out the dream of being an OG, the world ought not interfere with such dreams.

But I, being poor, have only my dreams; the *Traffic Safety Act* does not tread softly. It tramples the dreams of men. More accurately, section 81 enables "The Minister" to make Regulations pertaining to the "configuration of vehicles". The Minister, in his endless wisdom, has seen fit to create some rules surrounding window "glazing" and their

Lisa Wingenbach (2L)

As a child, many of us were told the tale of a jolly fellow named "Santa Claus" or "Santa" for short. As I do every year, I wrote a letter to him telling him my latest community contributions and how I have been such a good girl, in the hopes that he would bring me the kitten I requested. To my dismay, I woke up the 25th to no kitten, finding instead a note that said, "you're too old to believe in Santa, you loser." As I no longer care for Santa, I have decided to take legal action against him.

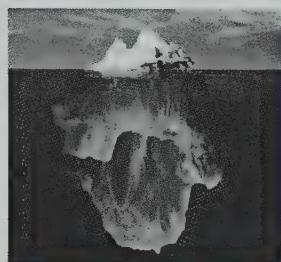
Now you might be thinking no one would ever believe that dear old Santa is guilty of a crime, or should I say *crimes*, based on his well-established good character. I beg to differ. Santa is about to feel the beat down of a system as cold as the North Pole. Pun intended.

I assert that Santa is guilty of the following:

1. Breaking & Entering as per s 348

standards in sections 70 and 71 of the Regulations.

Section 70(1) states:



A person shall not install, replace or cover the window glazing in a windshield or in a left or right side window of a motor vehicle that is beside or forward of the driver with a transparent, translucent or opaque material.

This effectively prevents people from putting tint on their front windows. But the wording is a bit more artful than that. It refers to 'installing, replacing, or covering' 'with a transparent, translucent, or opaque material'. This wording technically prevents *replacement* of a window. Subsection 5 chimes in to fix that absurd outcome:

A person may replace the window glazing installed by the manufacturer of a motor vehicle with the same type of glazing.

Therein lies the key. Windows CAN be replaced. Now the trick is to buy a window that is tinted from the manufacturer. A number of car

manufacturers (usually the higher end ones) have vehicles that come standard or at least have the option of tinted windows. Note that tint (a plastic sheet) is not applied to the glass, rather the material itself is tinted - like sunglass lenses. The question of whether it constitutes the "same type of glazing" is open to interpretation. Cars have different trim levels, different options, who's to say what goes where. If it can be obtained from the manufacturer, it's fair game.

So there's your tip: Don't waste money tinting your car, tickets are just a matter of time. The only way to have immunity is to spend even MORE money and buy windows tinted by the manufacturer. Yes, the impracticality is evident. However, gangster dreams are equally impractical... so it evens out.

Many problems in life are solvable with money, this one just happens to require an inordinate amount. Fortunately, our chosen profession will (hopefully) leave us with more money than sense, and a burning desire to break petty rules – this tip has got it all. Sweet dreams gangsta'.

As always: this is solely information, do your own research!

THE TRIAL OF SANTA CLAUS



of the
Code:
He
clearly
broke

into my place and wanted to do so in secret: otherwise he wouldn't have come down the chimney like a weirdo. I assert that he had malicious intent to commit theft as he very obviously ate my milk and cookies. If I get the milk glass analyzed, I know it will come back with fingerprints in the shapes of snowflakes and minor traces of reindeer snot.

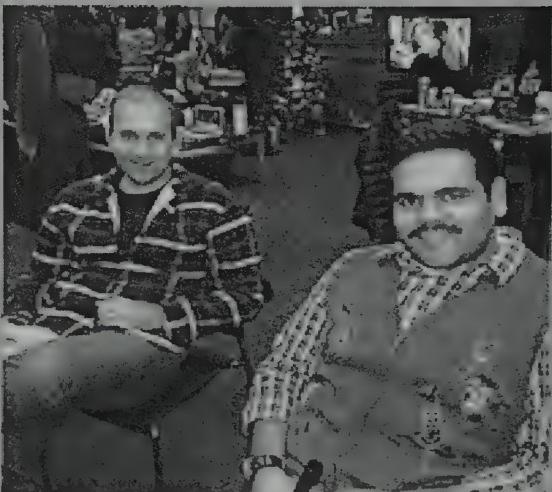
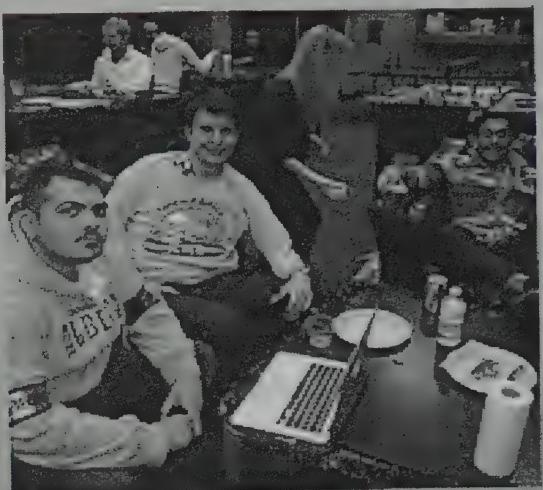
2. Theft as per s 322 of the Code: He took my milk and cookies with the intent to deprive, knowing that I am a student and it is all I can afford. Furthermore, I suspect he knows my way to cope with post-exam trauma is eating cookies, and intended to deprive me of that.

3. Trespassing at Night as per s 177 of the Code: Um, yeah he lands his sleigh on my roof and pokes around my house at night. Enough said.

3. Assault as per s 265 of the Code: I saw mommy kissing Santa Claus underneath the mistletoe at between the hours of 11PM and 2 AM on Dec 24th and Dec 25th, respectively. I heard a loud noise, or a "clatter", so I grabbed my emergency nunchucks and went to investigate. And that's when I saw her and Santa. She swears it was my dad: I don't believe her. For whatever reason, mom and dad are totally fine with the incident...but I digress.

4. Numerous Provincial Traffic Infractions: Who does Santa think he is? He travels around the world in one night! Seriously. I "googled" it. The man drives a sleigh of reindeer at exceedingly high speeds on icy roads with limited visibility. He is reckless at best.

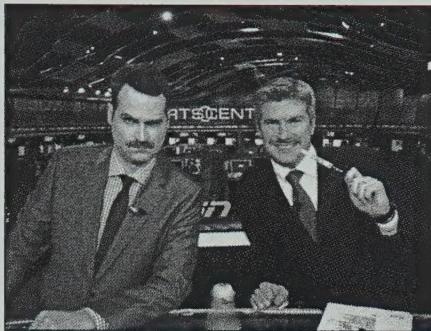
I suggest Santa get himself a good lawyer. In the alternative, Santa could always present me with a kitten. Respectfully, these are my submissions.



A DIRGE FOR JAY & DAN

Elliott Bridgewater (3L)

Why do we miss Jay and Dan, the beloved highlight tandem that left TSN for the \$greener\$ pastures of American network Fox Sports? After scouring my rapidly eroding memory banks and watching YouTube highlights of Jay and Dan doing highlights, I'm left with a somewhat elusive answer as to why Canadian sports broadcasting is so much worse off in their wake. You see, the answer is not that Jay and Dan are particularly good at their job, in fact, it's the opposite: they're kind of awful at it. So why do we love them? They stumble through highlights, regularly missing the play. They don't provide (or hype) any breaking 'stories', and they certainly don't provide any compelling insights about players, or 'the game'. They even have a segment



devoted to 'blowing it'. From what I can see, their entire approach to their jobs is mugging on camera, poking fun at the charade of being Talking Heads discussing kids' games to an adult audience of millions. They literally make a mockery of professional sports

broadcasting. And we can't get enough. We should dismiss them for butchering 'the sports,' the object of our irrational devotion and vicarious glory. So why do we love them? Maybe it's just another layer of hero worship. After

all it's hard for most of us to put ourselves in the shoes of the contemporary commentator of robotic expressiveness and supermodel looks. Not so for the towering creepiness of Jay and the stubby (if immaculately coiffed) awkwardness of Toolsy. While most of us are slowly succumbing to the crushing consciousness that we will not play in the NHL (SPEAK FOR YOURSELVES!), we still sound like we know what we're talking about. Imagine

getting paid to do that! It could be us in front of the camera living the dream of bullshitting about sports bullshit. So maybe, watching Jay and Dan is just another layer of vicarious glory to pile on top of the overall wish fulfillment of pro sports.

Seriously though, the shtick of a couple affable hacks laughing about how much they suck at their job would get old after a few shows. Thus, there must be a better explanation. My personal theory for Jay and Dan's staying power is their irreverence for the seriously glossy, and controlled image of pro sports. In spite of all the story lines that get pumped, and stats that get tossed around, the beauty of sport is that there is always the potential for spontaneity in motion.

Jay and Dan approach talking about sports the same way that sports should be played. They embrace the spontaneity, and comedy of the spectacle, instead of the seriousness of the industry. They're bold (or dumb) enough to not even follow their own script! And every once and a while they say something truly irreverent that lets us laugh at the ridiculousness of it all. That, my friends, is truly hopeful, even for a jaded Oilers fan.

SEMESTER OF FIRSTS FOR THE VOLLEYBALL TEAMS

Sam Stokes (1L)

Following a summer of beer league beach volleyball, I got thrown into the much more competitive indoor intramural league in September. I quickly found out it was a lot less beach and beer and way more volleyball. With that, for each of the two volleyball teams I played on it was a semester of firsts.

In the women's competitive league, it was the first time "You've Been Served" (very obvious we were the law team) had lost. The team consisted of Sara Tebbutt, Kelsey Sinclair, Megan Hogendoorn, Chaylene Gallagher, Alysha Rozon, Danni Chu, Marianne Dunn and myself. Unfortunately, in game one, we lost Danni Chu to a knee injury, which kept her out for the rest of the season. Most of our games were within a few points (probably not because of me), except for the last night where we were short handed, due to a scheduling conflict with the Oil Kings game. As a result I think one game that night was a whopping loss of 25-5. Ultimately, although the team made finals, they failed to show up for

the final week of playoffs. Who know what could have been! Hopefully we can get back on the winning track next season, and go for the championship



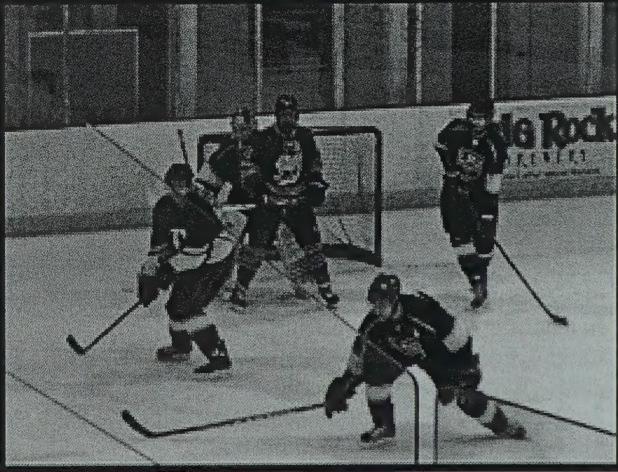
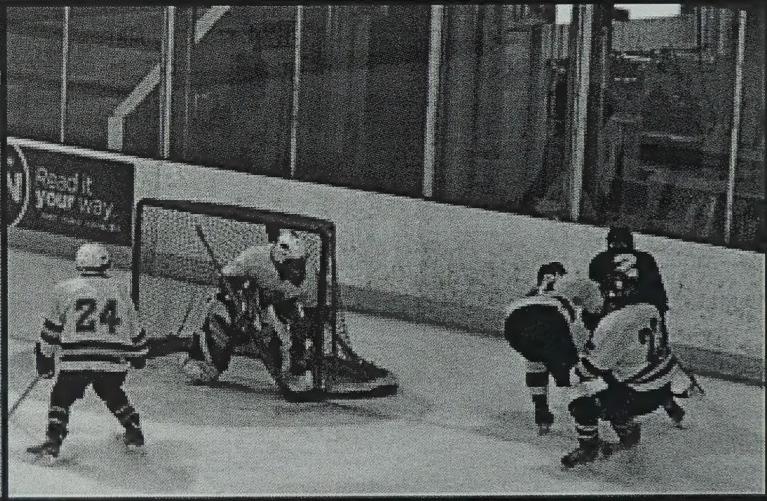
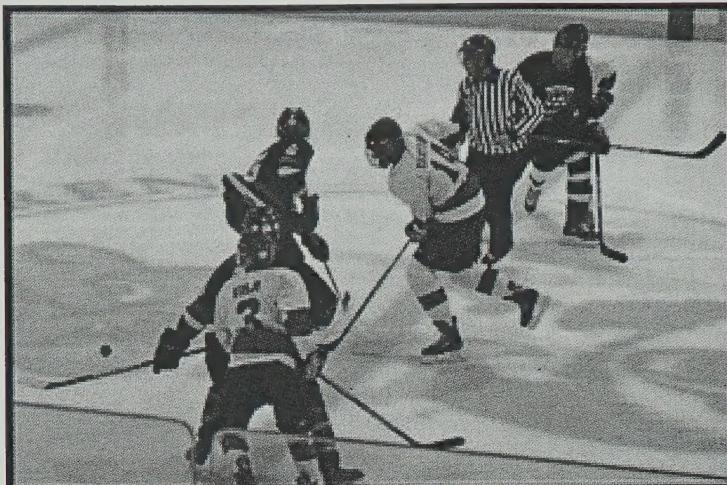
again.

In the second season of the semester, came another first. The rec co-ed "Unprotected Sets" team actually won their very first game and three in total. Coming off of a losing streak from last year, it was a very welcomed win. Could this be attributed to the fact that we have saved our drinking for Hudsons after the games? Or was this winning

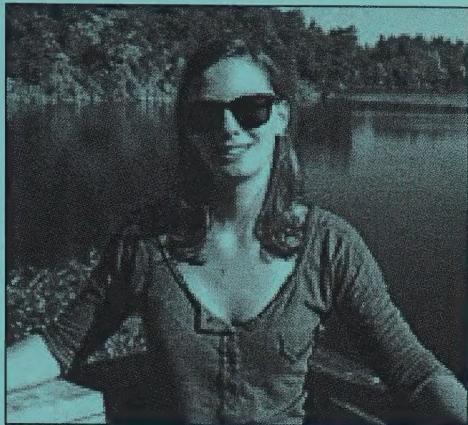
streak the result of Keerit Jutla, Dave Cassins and Mark Jordan never actually coming to a game?

The first round of the playoffs were held on Thursday November 21, and we had a great win in the first set. In the second set it seemed as though we were trailing by five points for most of the game, but we rallied in the end to finish only 2 points behind. With a heartbreaking 17-16 score in the 3rd set, our season came to an end. (I should probably mention that I was the one who shanked the ball that lost us the point, ending the season, oops.) Regardless of my last play, I'm looking forward to adding to our 3 wins we have so far when we play again next semester.

Finally, the competitive co-ed rec team (also named "You've Been Served") has had a successful season with their playoffs starting on Monday. Led by captain Max Oleksinski, whom I have been told tends to grunt and dance provocatively whenever he gets a kill. I may have to see about subbing for that team so I can witness this first hand.



Law Girl: Heather Thompson



THE 3L BUCKET LIST

Congrats on your upcoming article position! Where will you be articling and in what city?

Thank you!! I'll be doing double duty at the Department of Justice and Public Prosecution Service of Canada, in Toronto.

Before you move, list the top 5 things on your bucket list to do in Edmonton!

1) West Ed Waterpark! It's unacceptable that it's taken 3 years to get there

2) See the Northern Lights

3) Check out the Muttart Conservatory

4) Go camping at Elk Island... once it gets warmer

5) Graduate.

For all those students that may be new to the city or faculty, give your recommendations for:

The Best Brunch in Town: I'm still mad at Sugar Bowl for that time they left the cheese off my huevos rancheros, so I'm gonna say Glenora Bistro - it's an amazing hidden gem.

The Best Study Spot: If I want to be productive - 2nd floor of the library. If I want to be comfy, but realistically accomplish nothing, then cozied up on my couch with some tea.

The Best Glass of Wine: I tend to go for the bottle more than the glass, but probably OJs

The Best Place to Enjoy the Outdoors: I don't have a car, so to my knowledge the only outdoor space in Edmonton is the River Valley...which does have some nice biking trails.

The Best Spot to Unwind: The bar. Until someone starts to talk about important things.

Law Guy: Devin Crisanti



THE 3L BUCKET LIST

Congrats on your upcoming article position! Where will you be articling and in what city?

I will be articling at Fasken Martineau DuMoulin LLP in Calgary.

Before you move, list the top 5 things on your bucket list to do in Edmonton!

1) Go to the West Ed Waterpark with all my friends and certain supplies in large quantities.

2) Do a cannonball into the Ship Wreck display at West Ed during a seal show.

3) Go on a tour of U of A campus and see what life is like as a non-law student. I hear it's glamorous.

4) Drive a big truck around town like a true Edmontonian. It has to be raised up and have extra large wheels.

5) Ride in Nick Trofimuk's limo with all my buds and the same supplies used at the West Ed Waterpark.

For all those students that may be new to the city or faculty, give your recommendations for:

The Best Brunch in Town: Hotel MacDonald has the best food. The restaurant at the top of Crown Plaza is the coolest experience because the revolving restaurant lets you see the River Valley. This is based on a reliable source. I've never gone for brunch in Edmonton.

The Best Study Spot: U of A Law Library. The décor is second to none. Especially on the 3rd floor.

The Best Glass of Wine: Tzin on 104th street - my favourite place in Edmonton

The Best Place to Enjoy the Outdoors: Kinsman River Valley

The Best Spot to Unwind: Hudson's or at Rexall watching the Oilers lose. It's a very gratifying feeling for me

December 2013

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
1	2	3	4	5	6	7
8	9	10 Civ Pro (9am) Admin - Carver (9am) Family (9am) PPSL (9am) Torts (2pm) Corp Tax (2pm)	11 Wills (9am) Trusts (2pm)	12 Corps (9am) Oil & Gas (9am) Crim (2pm)	13 Comm'l Transactions (9am) Public Int'l (9am) Admin - Lewans (9am) Constitutional (2pm)	14
15	16 Bankruptcy (9am) Adv Torts (9am) Municipal (9am) Contracts (2pm)	17 Conflicts (9am) Crim Pro (9am) Unfair Trade (2pm)	18 Tax (9am) Judgment Enforcement (9am) Land Titles (9am) Foundations (2pm)	19 Evidence - Beaver (9am) Evidence - Royal (9am) Labour (2pm) Employment (2pm)	20 Int'l Property (9am) Sentencing (9am) Property (2pm)	21
22	23	24	25	26	27	28
29	30	31				